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June 8, 2020

VIA ECF

Honorable Freda L. Wolfson, U.S.D.C.J.
United States District Court for the District of New Jersey
Clarkson S. Fisher Federal Building & U.S. Courthouse
402 East State Street
Trenton, New Jersey 08608

Re: *McGee v. Barnes & Noble College Booksellers, LLC*, No. 3:20-cv-06783

Dear Chief Judge Wolfson:

This firm represents Defendants Cengage Learning, Inc.; McGraw Hill LLC; and Pearson Education, Inc. (collectively, the “Publishers”) in the above-captioned case (*McGee*), which alleges similar conduct as eight other cases that Your Honor has stayed pending a decision by the Judicial Panel on Multidistrict Litigation (the “Panel”) on whether they should be transferred to another district.¹ We write on behalf of the Publishers and the other defendants in *McGee* (collectively, “Defendants”) to inform the Court that Defendants have asked the Panel to transfer *McGee* as well and to respectfully request that *McGee*, like the previously filed cases, be stayed pending the Panel’s decision.

On June 4, 2020, Defendants filed a Notice of Related Actions to inform the Panel that *McGee* had been filed. A copy of the Notice is attached as Exhibit A. The Notice has the effect of adding *McGee* to the group of cases—including the eight other related cases pending in this district—that Defendants have previously asked the Panel to transfer to the District of Delaware. See JPML R. 6.2(d); see also *Barabas*, ECF No. 20; *Aliperto v. Barnes & Noble College Booksellers, LLC*, No. 3-20-cv-06145-FLW-JTB, ECF No. 4.

Because the Panel will be considering whether to transfer *McGee*, Defendants respectfully request that the Court stay the case pending the Panel’s decision and further order of the Court. That approach would allow for all of the related cases to be coordinated most efficiently and would be consistent with the stays entered in the eight cases previously filed in this Court and with similar stays entered in the Southern District of New York and the Northern District of Illinois. See, e.g., *Barabas*, ECF No. 24;

¹ Plaintiff has designated *McGee* as related to the first of the other cases that was filed in this district, *Barabas v. Barnes & Noble College Booksellers, LLC*, No. 3:20-cv-02442-FLW-TJB.

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Aliperto, ECF No. 5; see also *Uchenik v. McGraw Hill, LLC*, No. 1:20-cv-03162-DLC, ECF No. 34 (S.D.N.Y. May 15, 2020); *Kinskey v. Cengage Learning, Inc.*, No. 1:20-cv-02322, ECF No. 65 (N.D. Ill. June 1, 2020). A proposed order is attached as Exhibit B.

Defendants have conferred by email with Plaintiff's counsel about the requested stay, and Plaintiff's counsel have advised that they have no objection.

We thank the Court for its attention on these matters, particularly during these challenging times, and we are available should Your Honor or Your Honor's staff have any questions or need anything further.

Respectfully submitted,
/s/ Stephanie D. Edelson
Stephanie D. Edelson
Enclosures

cc: Honorable Tonianne J. Bongiovanni, U.S.M.J.
All counsel on attached list (via ECF or e-mail)

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Counsel List

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